

APPENDIX F

CONSTITUTION AND BY-LAWS FOR COMMUNITY ASSOCIATIONS (Sample)

This Appendix does not address the desirability or advisability of incorporating a community council or association. Advice of this nature must come from the local Field Activity legal counsel. The material is provided only to illustrate a format and suggest some matters which should be considered in any Constitution and By-Laws. It is not intended to be copied verbatim. It should be amplified or changed to meet the desires of the members, and be adapted for local conditions or purposes as advised by the local counsel. For example, if it is desired that there be no dues, fees, or assessments and that the only requirement for membership be residency in Government family housing, this should be provided for in the Constitution and By-Laws.

CONSTITUTION

OF

_____ COMMUNITY COUNCIL/ASSOCIATION

ARTICLE I - NAME

The name of this Organization will be _____, hereinafter referred to as the Council.

ARTICLE II - PURPOSE

The purposes of this Council are:

To promote the welfare of the community within the _____
_____ Navy family housing area(s) through the concerted action of the residents thereof;

To improve the livability of the community;

To promote recreational programs for the community;

To promote cooperative activities and friendly spirit within the community;

To consult with, and make recommendations to the local Field Activity Housing Manager on matters of safety, health, occupancy rules, and other matters of mutual interest to management and residents.

ARTICLE III - MEMBERSHIP

Regular voting members shall be the civilian/military sponsor, spouse, and dependents 18 years of age and older who reside in Navy family housing within the area(s) specified in Article II.

Honorary members shall be those persons not eligible for regular membership who are designated by the Executive Board. Honorary members shall pay no dues and shall not vote, but shall have those privileges specified by the Executive Board.

ARTICLE IV - EXECUTIVE BOARD

The governing body of the Council will be called the Executive Board. Executive Board membership will consist of the officers of the Council, who are the President, Vice-President, Secretary, and Treasurer, and a representative from each (section, type housing, or other) which comprise the Council. The President is Chairperson of the Executive Board.

The Officers and Members of the Executive Board shall be elected by the regular members of the Council. Vacancies on the Executive Board shall be filled by a majority vote of the Board.

ARTICLE V - DUES

The amount of dues, fees, or assessments will be determined by the By-Laws adapted pursuant to Article VI and may be changed from time to time by amendment thereof.

ARTICLE VI - BY-LAWS

The Council may adopt, amend, or repeal By-Laws by affirmative vote thereon by a majority of those present at two successive meetings.

ARTICLE VII - AMENDMENTS

This Constitution may be amended by the affirmative vote of two-thirds of the members present at a regular meeting, provided that no vote will be taken on a proposal to amend the Constitution unless notice thereof was given at least 2 weeks in advance.

EXAMPLE

BY-LAWS

COMMUNITY COUNCIL

ADOPTED _____

I. GENERAL

A. Purposes of _____ Community Council are as stated in the Constitution.

B. The Community served by the _____ Community Council shall be _____ (describe) _____.

II. MEMBERS

A. Membership shall be as stated in the Constitution.

B. A member will be in good standing if dues, fees, and assessments are paid, unless dismissed for cause.

C. A person found unworthy of membership may be expelled on recommendation of the Executive Board, after the person has been heard, and on approval of the recommendation by at least two-thirds of the members at a regular meeting.

D. A member may resign from _____ Community Council, or any position therein by written notice to the Secretary, or may be dismissed by the Executive Board for nonpayment of dues.

E. A member who resigned or was dropped for nonpayment of dues may be reinstated by payment of a full year's dues without further proceedings. A member dismissed for cause may reapply for membership after 1 year.

III. OFFICERS

A. Election of Officers and members of the Executive Board shall be by ballot at a meeting of the members in (Month), or as soon thereafter as practical, each year. The candidates receiving the greatest number of votes of the members present will be elected.

B. Terms of office of Officers and other members of the Executive Board will be 1 year.

C. The President shall designate a Nominating Committee, with the approval of the Executive Board on or before (date). This Committee shall, by (date), nominate one candidate for each office to be filled by election and may be directed by the Executive board to nominate a greater number for certain offices.

Nominations so made shall be reported to the membership not later than (date). Thereafter, additional nominations may be made by petition signed by not less than (number) members, delivered to the Secretary not later than (date). The full list of nominees shall be distributed to the membership not less than 7 days before the election meeting. Closed nominations may be accepted from the floor if person to be nominated is present and indicates he/she will serve, if elected.

D. President.

1. The President shall preside at (name of Council) meetings and be responsible to (Installation Commander, name of Field Activity) and to the (name of Council) membership.

2. It is the duty of the President to call the meetings of the (name of Council) to order at the appointed time, to preside at the meetings, to announce the business to the assembly, to preserve order and decorum, and to decide all-questions of order, subject to appeal.

3. The President shall appoint chairpersons of all standing committees. The President shall be an ex-officio member of all committees except the nominating committee.

4. Except as stated elsewhere in these BY-LAWS, if, during the term of office, vacancies occur in the elective offices, standing committees, or representative positions, the President shall appoint a person to fill the vacancy.

5. The President shall appoint special Audit Committees to conduct audits of the (name of Council) (specify frequency). Upon completion of each audit, the President shall ensure that an audit report is given to the Executive Board at the next Executive Board meeting, with any recommendations being made at that time.

6. It shall be the responsibility of the President to ensure that complaints and/or problems from resident members of (name of Council) are resolved, and, if unable to obtain resolution, to inform the Housing Director of

them. The President may designate authority to handle such complaints and/or problems to the Vice President.

E. Vice President.

1. The Vice President shall assume all responsibilities and perform all duties of the President when the President is absent, and perform all duties as assigned by the President.

2. In the event of the resignation or death of the President, the Vice President shall act as President until the next annual election of officers.

F. Secretary.

1. It shall be the duty of the Secretary to keep the minutes of all meetings of the (name of Council) and a record thereof.

2. The Secretary shall:

a. Keep a log of all incoming mail, logging the date of receipt, basic content and the assignment to the proper officer or committee chairperson.

b. Keep on file copies of all committee reports.

c. Keep all minutes with any amendments to these documents properly recorded.

d. Provide copies of current minutes to all members of the Executive Board.

e. Prepare correspondence for the (name of Council) as required.

f. Keep and provide a full and up-to-date copy of the roster of members of the Executive Board to each member thereof.

G. Treasurer.

1. The Treasurer shall receive all funds and make bank deposits to the account of the (name of Council account).

2. The Treasurer shall act as Chairperson of the Finance Committee and submit financial reports to the Executive Board at regularly scheduled meetings.

3. Disbursement of (name of Council) funds will be made by the Treasurer by check. All checks written against the (name of Council) bank account shall require signatures of two members of the Executive Board.

4. The Treasurer will receive detailed accounts of any and all fund accounts maintained by committees on a monthly basis at least one week prior to the Executive Board meeting.

IV. MEETINGS

A. Time and place of meetings of the membership will be set by the President with the advice and consent of the Executive Board; meetings of the Executive Board by the Chairperson; and of other committees or sub-committees by the Chairperson thereof. Meetings of the membership will be held at least once every calendar quarter of a year unless otherwise voted by the Executive Board.

B. Notice of a membership meeting shall be not less than 15 days.

C. Quorum for a membership meeting will be the members present.

D. Procedure at formal meetings shall follow Robert's Rules of Order unless otherwise provided in the By-Laws.

E. Agenda at all membership meetings shall include reports from all committees on the status of the _____ Community Council, its finances, programs, and matters affecting the Community. Business proposed by the Executive Board will be considered and opportunity given for business to be initiated from the floor. Guests from outside the membership, on invitation from the Executive Board, may speak on topics affecting the community. Fair opportunity for an opposition speaker will be given.

V. DUES AND FEES

A. Annual dues will be not more than a maximum of \$_____ per member, and the amount of annual dues will be set by the Executive Board. An applicant for membership will pay a full year's dues. Refunds because of resignation or dismissal will be made for the balance of the unexpired membership-year. The membership-year will start on the first day of the month in which payment is made and will expire on the last day of the twelfth month thereafter.

B. Dues will be payable on the first of the calendar month. If not paid in 30 days, the member will cease to be in good standing and the Treasurer will send a bill of warning. If dues are not paid in 30 days thereafter, the member will be automatically dismissed.

C. Fees for admission to _____ Community Council facilities or events other than membership meetings will be as set by the Executive Board.

D. Assessment other than dues and fees may be levied by two-thirds vote of a membership meeting.

E. A budget, initiated by the Treasurer and approved by the Executive Board shall be submitted at the first membership meeting each calendar year, and may be amended by vote of the members. Expenditures for the year will not exceed the budget.

VI. REPRESENTATION

A. Participants of _____ Community Council in activities and aims of other organizations shall be only as authorized by the membership.

B. Delegates and alternates to represent the _____ Community Council in councils or events of other organizations may be appointed by the President with the consent of the Executive Board.

(END OF BY-LAWS)

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